

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/564,681      Confirmation No.: 2066  
Applicant(s): Gabriellsson et al.  
Filed: 07/05/2004  
Art Unit:  
Examiner:  
Title: Locking Element

Attorney Docket No.: 003D.0087.U1 (US)  
Customer No.: 29,683

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Petition Under 37 CFR §1.47(a)

Sir:

Applicant's attorney hereby petitions under 37 CFR §1.47(a) for a patent in the above-identified patent application.

Enclosed are the following items to support this petition:

- Statement of Facts;
- Fee under 37 CFR §1.17(g) ; and
- Inventor declaration signed by some of the inventors (the signing inventors).

Please charge deposit account 50-1924 for any fee deficiency, or any extension of time fees or surcharge fee.

09/27/2006 GFREY1 00000089 10564681

03 FC:1463

200.00 OP

Respectfully submitted,



Mark F. Harrington (Reg. No. 31,686)

9/20/06

Date

**Customer No.: 29683**

Harrington & Smith, LLP

4 Research Drive

Shelton, CT 06484-6212

203-925-9400

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail on the date shown below in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

9-20-06

Date



Name of Person Making Deposit



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Statement of Facts to Support  
Petition Under 37 CFR §1.47(a)

Sir:

The undersigned hereby declares:

I, Mark Harrington, am a patent attorney with the law firm of Harrington & Smith, LLP, 4 Research Drive, Shelton, CT 06484.

Based upon information and belief, one of the inventors, **Bart Verreydt** (hereinafter the non-signing inventor), in the above-identified patent application refuses to sign the oath/declaration for the present application or cannot be found or reached after diligent effort. Therefore, application for patent in the above-identified patent application is being made on behalf of the non-signing inventor by all the available joint inventor(s).

### **Relationship To The Inventor:**

The undersigned has no relationship to the non-signing inventor.

### **Proof That The Inventor Cannot Be Found Or Reached After A Diligent Effort Or Refuses To Execute The Application Papers:**

- On June 29, 2006 a letter was sent to the non-signing inventor with a declaration for the present application. A copy of that letter is attached as Exhibit A. No reply from the non-signing inventor was received to that letter.
- On August 23, 2006 a letter was sent by the undersigned to the non-signing inventor at his last known address. A copy of that letter is attached in Exhibit B. The letter and documents referred to in the letter were sent to the non-signing inventor via Express Mail with a pre-paid return envelope. The documents included a copy of the application as filed including a copy of the specification, claims and drawings. No reply was received to that letter.
- On September 6, 2006 a letter was sent by the undersigned to the non-signing inventor at his last known address. A copy of that letter is attached in Exhibit C. The letter and documents referred to in the letter were sent to the non-signing inventor via Federal Express with a pre-paid return envelope. The documents included a copy of the application as filed including a copy of the specification, claims and drawings. No reply was received to that letter.

### **Last Known Address Of Inventor:**

Based upon information and belief, the last known address of the inventor is:

Mr. Bart Verreydt  
Bremstraat 11  
B-1981 Hofstade/Zemst  
Belgium

### **Proof That The Filing Of The Application Is Necessary:**

The U.S. national stage application was filed with the USPTO on 1/13/2006. A Notification of Missing Requirements Under 35 U.S.C. 371 was mailed on 04/24/2006. A response to the Notice was due by 06/24/2006. Unless this application for patent (without the non-signing inventor's signature) is accepted, the above-identified application will go abandoned.

Thus, the present Petition Under 37 CFR §1.47(a) is necessary to preserve the rights of the parties.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 9/20/06

By: Mark Harrington  
Name: Mark Harrington

## **Exhibit A**



Mr Bart VERREYDT  
BREMSTRAAT 11  
1981 Hofstade (Bt.)  
Belgium

Versailles, June 29, 2006

Tél. : 33 1 39 49 22 49  
Fax. : 33 1 39 49 20 50  
E-mail : christian.don@fciconnect.com

O/REF. : C3420-EBEM

Re : US Patent application corresponding to PCT/EP2004/051354  
filed on July 5, 2004 for "Locking element"

Dear Mr Bart VERREYDT,

For the above-identified case, we beg you to find enclosed :

- "DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION" ; and
- "ASSIGNMENT OF INVENTION",

for execution by you as one of the inventors. These documents are already executed by Mr Per Gabrielson.

Please execute these documents and return them to me imperatively before July 10, 2006. You can also send them to me only via email (pdf file).

We wish you good receipt of the present with enclosures and we remain, with our best regards.

Very truly yours,

**Christian DON**  
**FCI - Intellectual Property Department**  
**Patent, Trademark & Domain Name Paralegal**

Encl. : 2 documents

## **Exhibit B**



LAW OFFICES  
**HARRINGTON & SMITH, LLP**

Patent, Trademark and Copyright Practice  
4 Research Drive  
Shelton, Connecticut 06484-6212  
U.S.A.

Mark F. Harrington  
Harry F. Smith  
Christine W. Beninati

Telephone: 203-925-9400  
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Email: Patent@HSPatent.com

Gerald J. Stanton  
David M. O'Neill\*  
Robert J. Mauri  
Jeffrey R. Ambroziak  
Walter J. Malinowski\*

www.HSPatent.com

Of Counsel  
James W. Mitchell\*

Via Express Mail

August 23, 2006

EV246748957US

\* - NY Bar

Mr. Bart Verreydt  
Bremstraat 11  
B-1981 Hofstade/Zemst  
Belgium

Re: US Patent Application No.: 10/564,681  
"Locking Element"  
FCI Ref. No.: C3420-EBEM  
Our Ref. No.: 003D.0087.U1(US)

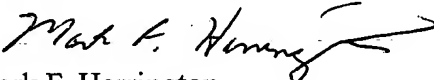
Dear Mr. Verreydt:

We represent FCI for the above-identified patent application in the United States. Enclosed is a copy of the application including the description, claims and drawings. You are one of the inventors as identified in the International Application No.: PCT/EP2004/051354. We need to file a declaration in the U.S. Patent and Trademark Office to complete the national stage filing requirements. Enclosed is a copy of the declaration for your signature. Please sign and date the enclosed declaration and return it to us in the enclosed prepaid Federal Express return envelope as soon as possible.

Thank you.

Sincerely,

HARRINGTON & SMITH, LLP



Mark F. Harrington  
MFH/  
Encl.

## **Exhibit C**

LAW OFFICES  
**HARRINGTON & SMITH, LLP**

Patent, Trademark and Copyright Practice  
4 Research Drive  
Shelton, Connecticut 06484-6212  
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Mark F. Harrington  
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Telephone: 203-925-9400  
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David M. O'Neill\*  
Robert J. Mauri  
Jeffrey R. Ambroziak  
Walter J. Malinowski\*

[www.HSPatent.com](http://www.HSPatent.com)

Of Counsel  
James W. Mitchell\*

Via Federal Express

\* - NY Bar

September 6, 2006

Mr. Bart Verreydt  
Bremstraat 11  
B-1981 Hofstade/Zemst  
Belgium

Re: US Patent Application No.: 10/564,681  
"Locking Element"  
FCI Ref. No.: C3420-EBEM  
Our Ref. No.: 003D.0087.U1(US)


Dear Mr. Verreydt:

We represent FCI for the above-identified patent application in the United States. Enclosed is a copy of the application including the description, claims and drawings. You are one of the inventors as identified in the International Application No.: PCT/EP2004/051354. We need to file a declaration in the U.S. Patent and Trademark Office to complete the national stage filing requirements. Enclosed is a copy of the declaration for your signature. Please sign and date the enclosed declaration and return it to us in the enclosed prepaid Federal Express return envelope as soon as possible.

Thank you.

Sincerely,

HARRINGTON & SMITH, LLP



Mark F. Harrington  
MFH/  
Encl.